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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,803	02/27/2004	Shane Pearson	BEAS-01366US0	7861
23910	7590	06/23/2008		
FLIESLER MEYER LLP 650 CALIFORNIA STREET 14TH FLOOR SAN FRANCISCO, CA 94108			EXAMINER PERUNGAVOOR, VENKATANARAY	
			ART UNIT 2132	PAPER NUMBER
			MAIL DATE 06/23/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/788,803	Applicant(s) PEARSON ET AL.	
	Examiner Venkat Perungavoor	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/9/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 and 57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-55 and 57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/3/08 & 5/9/08</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 5/9/2008 have been fully considered but they are not persuasive.

The Applicant argues that the Kim reference fails to disclose the hierarchical relationships between controls representing graphical and functional elements.

Kim discloses the hierarchical relationships between controls representing graphical relationships see Par. 0028 and further discloses the functional relationship see Par. 0094 & 0096.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

Claims 1-55 and 57 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 2004/0125124 to Kim.

Regarding Claim 1, 41, 57, Kim discloses the mapping the request to control tree in a logical representation of the GUI and the control tree includes a set of controls representing graphical and functional elements of GUI which are related hierarchically to one another see Fig. 2B; advancing the control tree through a one life cycle stage based on the request and tree includes a portlet control that represents a portlet see Fig. 3; providing request to portlet container, the providing can be performed by the portlet control see Par.. 0026 & Par. 112.

Regarding Claim 2, 17, 42, Kim discloses the generating tree from a factory based on the request see Par. 0015-0120.

Regarding Claim 3, 31, 43, Kim discloses the generating a response can be used to render a portion of response see Fig. 4.

Regarding Claim 4, 18, 44, Kim discloses the creating of metadata representation of tree and generating class construct based on metadata see Par. 0143.

Regarding Claim 5-6, 13, 19-20, 27, 32-33, 39, 45-46, 53, Kim discloses the HTTP request and the web browser see Par. 0036

Regarding Claim 7-8, 21-22, 34, 47-48, Kim discloses the updating of parameters and model development see Par. 0042

Regarding Claim 9-11, 23-26, 35-37, 49-51, Kim discloses the rendering according to a theme, the communicating with another set of controls and advancing to lifecycle stage in parallel see Par. 0045

Regarding Claim 12, 14, 28, 38, 40, 52, 54, Kim discloses the raise events, render, save state and unload and dispose see Fig. 11A-11D.

Regarding Claim 15, 29, 55, Kim discloses the attributes of the GUI being displayed see Fig. 10B.

Regarding Claims 16, 57; Kim discloses the mapping the request to control tree in a logical representation of the GUI and the control tree includes a set of controls representing graphical and functional elements of GUI which are related hierarchically to one another see Fig. 2B; advancing the control tree through a one life cycle stage based on the request and tree includes a portlet control that represents a portlet see

Fig. 3; providing request to portlet container, the providing can be performed by the portlet control see Par.. 0026 & Par. 112.; the generating a response can be used to render a portion of response see Fig. 4.

Regarding Claim 30, Kim discloses the first container mapping the request to control tree in a logical representation of the GUI and the control tree includes a set of controls representing graphical and functional elements of GUI which are related hierarchically to one another see Fig. 2B; advancing the control tree through a one life cycle stage based on the request and tree includes a portlet control that represents a portlet see Fig. 3; providing request to portlet container, the providing can be performed by the portlet control see Par. 0026 & Par. 112.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is (571)272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2132

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/V. P./

Examiner, Art Unit 2132

June 19, 2008

/Gilberto Barron Jr/

Supervisory Patent Examiner, Art Unit 2132